

REMARKS

Reconsideration of the application is respectfully requested.

The present invention is directed to a process for manufacturing frozen aerated product, particularly shaped products such as ice cream balls and the like. The process comprises providing two separate forming elements, each of which having at least one open cavity, filling the two open cavities with a frozen aerated product having an overrun of between 30 -130%, permitting each product to expand outside its open cavity, then moving the two open cavities opposite one another so that the frozen aerated product in each cavity is pressed against the frozen aerated product in the other cavity. In particular, it has been discovered that insufficient expansion of the product can add to insufficient adhesions of the two halves (page 4 of the specification, first full paragraph).

The Office asserts that the Ezaki reference teaches molding frozen confections in which two separate mold cavities are filled prior to the cavities moving opposite one another. This may be true, but the Office points to no teaching by Ezaki of permitting each product to expand outside its open cavity and then moving the two open cavities opposite one another so that the frozen aerated product in each cavity is pressed against the frozen aerated product in the other cavity. The Office does not explain how this would be possible given the presence of the illustrated wedge shaped element in Ezaki which fits between the rollers.

Likewise, the Office has not shown how OLS discloses this feature either. Applicants respectfully request that the Office point out specifically where OLS teaches filling two open cavities with a frozen aerated product, allowing each product to expand outside its open cavity, then moving the two open cavities opposite one another so that frozen aerated product in each cavity is pressed against the frozen aerated product in the

other cavity. As pointed out above, this is significant since the specification discloses at page 4, first paragraph that insufficient expansion in step (b) leads to insufficient adhesion of the two halves following step (c). The Office appears to point to vague drawings in OLS which do not appear to show the particular features of the invention.

In view of the foregoing, it is respectfully requested that the application be allowed.

Respectfully submitted,



Gerard J. McGowan, Jr.
Registration No. 29,412
Attorney for Applicant(s)

GJM/mpk
(201) 894-2297